

less than 11 months after the end of the fund year. For fund years incepting on or after January 1, 2008, rebates may not be paid less than 23 months after the end of the fund year.]

B.—C. (text unchanged)

D. No rebates or suspension of premium contributions shall be made when a group is insolvent or otherwise causes the group to be considered in a financially hazardous condition pursuant to §9-102 of the Insurance Article of the Annotated Code of Maryland.

31.08.10 Medical Professional Insurers Online Claim Survey Reporting Requirements

Authority: Insurance Article, §§4-401 and 4-405, Annotated Code of Maryland

.02 Financial Information Report.

A. (text unchanged)

B. Confidential Information.

(1) An insurer that submits a financial information report shall notify the Commissioner at the time of the submission of any information contained in the report that the insurer considers to be [confidential] *proprietary* information.

(2) The Commissioner, in accordance with State Government Article, §10-617(d) and (f), Annotated Code of Maryland, shall deny inspection of any part of a report submitted under this chapter that the Commissioner determines contains confidential *commercial* information or *confidential financial information*.

C. (text unchanged)

ALFRED W. REDMER, JR.
Insurance Commissioner

Subtitle 10 HEALTH INSURANCE — GENERAL

31.10.11 Uniform Claims Forms

Authority: Health Occupations Article, §1-208; Insurance Article, §§2-108—2-109 and 15-1003—15-1005; Annotated Code of Maryland

Notice of Proposed Action

[16-302-P]

The Insurance Commissioner proposes to amend Regulation .14 under COMAR 31.10.11 Uniform Claims Forms.

Statement of Purpose

The purpose of this action is to repeal the language under COMAR 31.10.11.14C(2). This subsection requires the Commissioner to annually provide to the public a summary of information contained in claims data filings submitted by third-party payors. The statutory authority for this Chapter does not require this report to be created. Interested persons may request this information through the Maryland Public Information Act.

Comparison to Federal Standards

There is no corresponding federal standard to this proposed action.

Estimate of Economic Impact

The proposed action has no economic impact.

Economic Impact on Small Businesses

The proposed action has minimal or no economic impact on small businesses.

Impact on Individuals with Disabilities

The proposed action has no impact on individuals with disabilities.

Opportunity for Public Comment

Comments may be sent to Michael Paddy, Legislative and Regulatory Analyst, Maryland Insurance Administration, 200 St. Paul Place, Ste. 2700, Baltimore MD 21202, or call 410-468-2408, or email to michael.paddy@maryland.gov, or fax to 410-468-2020. Comments will be accepted through December 28, 2016. A public hearing has not been scheduled.

.14 Claims Data Filing.

A.—B. (text unchanged)

C. Use of Data by Commissioner. The Commissioner shall[:

(1) Use] *use* the claims data filings to determine the general business practices of third-party payors and entities to which third-party payors have delegated claims processing pursuant to Insurance Article, §15-1005[(g)], Annotated Code of Maryland[; and

(2) Provide to the public annually a summary of information contained in claims data filings submitted by third-party payors].

D.—F. (text unchanged)

ALFRED W. REDMER, JR.
Insurance Commissioner

Subtitle 14 LONG-TERM CARE

31.14.03 Long-Term Care Partnership

Authority: Insurance Article, §§18-102 and 18-106—18-107; Health-General Article, §15-407; Annotated Code of Maryland

Notice of Proposed Action

[16-301-P]

The Insurance Commissioner proposes to amend Regulation .06 under COMAR 31.14.03 Long-Term Care Partnership.

Statement of Purpose

The purpose of this action is to The purpose of this action is to make a technical change to Regulation .06B(2)(a) under COMAR 31.14.03 Long-Term Care Partnership. Effective June 6, 2016, the minimum annual compound inflation benefit for new Long-Term Care Partnership policies was changed in COMAR 31.14.03.05F(1)(a)(i) from 3 percent to 1 percent. This technical amendment updates COMAR 31.14.03.06B(2)(a) consistent with that change.

Comparison to Federal Standards

There is no corresponding federal standard to this proposed action.

Estimate of Economic Impact

The proposed action has no economic impact.

Economic Impact on Small Businesses

The proposed action has minimal or no economic impact on small businesses.

Impact on Individuals with Disabilities

The proposed action has no impact on individuals with disabilities.

Opportunity for Public Comment

Comments may be sent to Michael Paddy, Legislative and Regulatory Analyst, Maryland Insurance Administration, 200 St. Paul Place, or call 410-468-2408, or email to michael.paddy@maryland.gov, or fax to 410-468-2020. Comments will be accepted through December 28, 2016. A public hearing has not been scheduled.

.06 Applications.

A. (text unchanged)

B. Inflation Protection Option.

(1) (text unchanged)³

(2) The application shall indicate that for applicants who are younger than 61 years of age, the applicant is required to purchase an inflation protection benefit:

(a) Of at least [3] 1 percent compounded annually; or

(b) (text unchanged)

(3)—(4) (text unchanged)

ALFRED W. REDMER, JR.
Insurance Commissioner

Subtitle 16 MISCELLANEOUS

31.16.08 Privacy of Consumer Financial and Health Information

Authority: Insurance Article, §2-109(d), Annotated Code of Maryland

Notice of Proposed Action

[16-298-P]

The Insurance Commissioner proposes to amend Regulation .06 under COMAR 31.16.08 Privacy of Consumer Financial and Health Information.

Statement of Purpose

The purpose of this action is to conform this regulation to recent amendments to 15 U.S.C. 6803(f), which modifies existing federal law by creating an exemption from a certain Gramm-Leach-Bliley Act annual notice requirement.

Comparison to Federal Standards

There is a corresponding federal standard to this proposed action, but the proposed action is not more restrictive or stringent.

Estimate of Economic Impact

I. Summary of Economic Impact. Adoption will confer an economic benefit upon insurers and producers (licensees of the MIA) by providing language relieving them from having to send their customers an annual privacy notice where they comply with other requirements concerning any disclosure of personally identifiable financial information and only in situations where the licensee's practices and policies regarding disclosure have not changed since the last notice sent to their customer. This will save companies and producers significant postage and production costs associated with the notice, which is currently required to be sent annually, even if the notice has not changed.

II. Types of Economic Impact.	Revenue (R+/R-)	Magnitude
	Expenditure (E+/E-)	
A. On issuing agency:	NONE	
B. On other State agencies:	NONE	
C. On local governments:	NONE	
	Benefit (+) Cost (-)	Magnitude
D. On regulated industries or trade groups:		
Postage and production costs	(+)	Significant
E. On other industries or trade groups:	NONE	

F. Direct and indirect effects on public:

Paper reduction

(+)

Significant

III. Assumptions. (Identified by Impact Letter and Number from Section II.)

D. This amendment will save companies and producers significant postage and production costs associated with the notice, which is currently required to be sent annually.

F. This amendment will also confer a benefit upon consumers relieving them from receiving duplicative annual notices, such that only new or changed notices will be received.

Economic Impact on Small Businesses

The proposed action has a meaningful economic impact on small business. An analysis of this economic impact follows.

Adoption will confer an economic benefit upon insurers and producers (licensees of the MIA) by providing language relieving them from having to send their customers an annual privacy notice where they comply with other requirements concerning any disclosure of personally identifiable financial information and only in situations where the licensee's practices and policies regarding disclosure have not changed since the last notice sent to their customer. Insofar as producers work for small businesses, this will save businesses significant postage and production costs associated with the notice, which must currently be sent to consumers annually, even if the notice has not changed.

Impact on Individuals with Disabilities

The proposed action has no impact on individuals with disabilities.

Opportunity for Public Comment

Comments may be sent to Catherine Grason, Director of Regulatory Affairs, Maryland Insurance Administration, 200 Saint Paul Place, Ste. 2700, Baltimore, MD 21202, or call 410-468-2201, or email to insuranceregreview.mia@maryland.gov, or fax to 410-468-2020. Comments will be accepted through December 28, 2016. A public hearing has not been scheduled.

.06 Annual Privacy Notice for Financial Information to Customers Required.

A. In General.

(1) [A] *Except as provided in §B of this regulation, a licensee shall provide a clear and conspicuous notice to customers that accurately reflects its privacy policies and practices for nonpublic financial information at least once in each annual notice period during the continuation of the customer relationship.*

(2)—(3) (text unchanged)

B. Exceptions.

(1) *Notwithstanding §A of this regulation, a licensee is not required to provide an annual privacy notice to a current customer if the licensee:*

(a) *Provides nonpublic personal information to nonaffiliated third parties only in accordance with Regulations .14—.16 of this chapter; and*

(b) *Has not changed its policies and practices with regard to disclosing nonpublic personal information from the policies and practices that were disclosed in the most recent disclosure sent to consumers in accordance with §A of this regulation or COMAR 31.16.08.05.*

(2) *A licensee is not required to provide an annual notice to a former customer with whom a licensee no longer has a continuing relationship.*

[B.] C. (text unchanged)